

software products comprising: inserting at least one advertisement into at least a portion of a software program (col. 2, lines 1-15, 64-67, col. 1, lines 15-20)". Applicant respectfully disagrees with the Examiner's interpretation of the cited reference. On col. 2, lines 1-15, Horstmann teaches that an advertisement module is attached to the software. "The function of the advertisement module is to retrieve advertisements from an advertisement sever and to display them to the user. The advertisements are varied to retain the interest of the user." On col. 2, lines 64-67, Horstmann teaches that "the Ad Module Builder Tool allows a software developer to attach the ad module to a program on-site in a simple, straight-forward manner without source code changes." The above teachings of Horstmann only teach to attach an advertisement module to the software and how. In order to display an advertisement to the user, the advertisement module would have to retrieve the advertisement from an advertisement server. Claim 1 of Horstmann further clarifies that the advertisement sever is a *remote* advertisement sever. Col. 5, lines 36-38. Thus, the advertisement is not inserted into the software program *during the making of the software product* as required by claim 1.

In the background section, Horstmann mentioned that "[I]nternet directories and search engines may be used free-of-charge, however, advertisements are prominently displayed at nearly every turn." Col. 1, lines 15-20. However, this statement does not teach inserting an advertisement into a software program during the making thereof, and when the software program of the present invention is used, it is not necessarily connected to the Internet.

Further, inserting an advertisement into a software program during the making thereof would be against the intended purpose of Horstmann. Horstmann expressly teaches that "[T]he advertisements are varied to retain the interest of the user". Col. 2, lines 9-10. "The function of the ad module is to retrieve and display to the user of the program various advertisements. ... advertisements are retrieved over the Internet (107) from an ad sever 109." Col. 3, lines 1-4. Once an advertisement is inserted into a software program during the making thereof, it will stay with the software in a recording medium, and cannot be varied without repeating the making process, that would be against the above teachings of Horstmann.

Claim 1 further recites steps of "making the software program stop in operation during use of the software program when a sponsored advertisement is displayed on a display screen; and resuming the software program only when the sponsored advertisement displayed on the screen is clicked on". Horstmann does not teach or suggest such features either. Indeed, Horstmann does not teach an advertisement inserting concept, rather he only discloses an advertisement moduole

which is attached to a software product using an advertisement server. In other words, in Horstmann's method, the advertisement window inserted or appearing in the software is not interlocked with the stopping and assuming operation of the software.

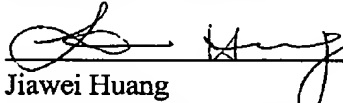
For at least the reasons discussed above, claim 1 is patentable over Horstmann. Claims 2-3 and 5 depend from claim 1 and, thus, are also patentable over Horstmann for at least the same reasons.

Conclusion

In view of the foregoing remarks, it is respectfully submitted that the remaining claims 1-3 and 5 are fully in condition for allowance and such allowance is earnestly solicited.

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Respectively submitted


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